

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 15053 of 2004

Between:

Gnaneswari Educational & Social Services Society,
(Regd.Educational Society)
H.No.13-6-822/B28, Babu Nagar, Langar House, Hyderabad-8,
rep.by its Secretary Smt.M.Sujatha

..... PETITIONER

AND

- 1 The Secretary to Government, Health, Medical and Family Welfare,
Government of A.P.,Secretariat Buildings, Hyderabad
- 2 The Director of Medical Education/President, A.P.Nursing and Midwives
Council, Sultan Bazar, Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not issuing the application form to the petitioner society for starting the B.Sc.Nursing Degree Course (College of Nursing) at Ranga Reddy is illegal, arbitrary, improper and against the principles of natural justice and consequently direct the 2nd respondent to issue application form to the petitioner society for starting the B.Sc Nursing Degree Course (College of Nursing) at Ranga Reddy after receiving the application fee of Rs.10,000/-

Counsel for the Petitioner:MR.VADDI PAMULETY

Counsel for the Respondents: GP FOR MEDICAL, HEALTH AND FAMILY WELFARE

The Court at the stage of admission made the following ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in not issuing the application form to the petitioner-society for starting B.Sc. Nursing Degree Course (College of Nursing) at Ranga Reddy, as illegal and arbitrary.

The main grievance of the petitioner-society is that it applied for issuance of an application form for starting B.Sc. Nursing Degree Course (College of Nursing) at Ranga Reddy, but the respondents are not issuing any application form.

Heard learned counsel for the petitioner-society and learned Government Pleader for Medical, Health and Family Welfare.

Without issuing necessary notification with regard to establishment of a college, the question of issuing any application to the petitioner-society enabling it to establish a college does not arise. If any such notification is issued, the respondents cannot refuse the request of the petitioner. In the event of issuance of notification specifying the need of establishing a college, the respondents should consider the request of the petitioner-society for issuance of an application.

The writ petition is accordingly disposed of with the above said observation. No costs.

24th AUGUST, 2004.

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To

- 1 The Secretary to Government, Health, Medical and Family Welfare,
Government of A.P., Secretariat Buildings, Hyderabad
- 2 The Director of Medical Education/President, A.P. Nursing and Midwives
Council, Sultan Bazar, Hyderabad
- 3 Two CCs to the Government Pleader for Medical, Health and Family Welfare,
A.P. High Court Buildings, Hyderabad. (OUT)
- 4 Two CD copies.